

FILED

JUN 13 2017

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)

v.)

CHRISTOPHER HILL)

Criminal No. 17-156

INDICTMENT MEMORANDUM

AND NOW comes the United States of America, by its attorneys, Soo C. Song, Acting United States Attorney for the Western District of Pennsylvania, and Timothy M. Lanni, Assistant United States Attorney for said District, and submits this Indictment Memorandum to the Court:

I. THE INDICTMENT

A Federal Grand Jury returned a one-count Indictment against the above-named defendant for an alleged violation of federal law:

<u>COUNT</u>	<u>OFFENSE/DATE</u>	<u>TITLE/SECTION</u>
1	Possession with intent to distribute and distribution of fentanyl resulting in serious bodily injury and death	21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C)
	On or about July 21, 2016	

II. ELEMENTS OF THE OFFENSE

A. As to Count One: For the crime of possession with intent to distribute and/or distribution of fentanyl, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C), to be established, the United States must prove elements one through three of the following four elements beyond a reasonable doubt. To hold the defendant responsible for possession with

intent to distribute and distribution of fentanyl resulting in serious bodily injury or death, the United States must prove each of the following four elements beyond a reasonable doubt.

1. That the defendant knowingly possessed a mixture or substance containing a controlled substance;
2. That the defendant had an intent to distribute or distributed the mixture or substance;
3. That the mixture or substance contained fentanyl;
4. That the fentanyl the defendant distributed resulted in serious bodily injury or death of a user of the fentanyl; that is, that the fentanyl was a but-for cause of the serious bodily injury or death of a user of the fentanyl.

III. PENALTIES

A. As to Count One: Possession with intent to distribute and distribution of a quantity of fentanyl (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C)):

1. A term of imprisonment of up to 20 years.
2. A fine of up to \$1,000,000.
3. A term of supervised release of at least three years.

For a second or subsequent felony drug conviction that is final, whether federal, state, or foreign:

1. A term of imprisonment of up to 30 years.
2. A fine of up to \$2,000,000.
3. A term of supervised release of at least six years.

If the fentanyl the defendant distributed resulted in serious bodily injury or death of a user of the fentanyl:

1. A term of imprisonment of at least 20 years and up to life.
2. A fine of up to \$1,000,000.
3. A term of supervised release of at least 3 years.

If the fentanyl the defendant distributed resulted in serious bodily injury or death of a user of the fentanyl and the defendant has at least one prior felony drug conviction that is final, whether federal, state, or foreign:

1. A term of imprisonment of a minimum of life.
2. A fine up to \$2,000,000.

IV. MANDATORY SPECIAL ASSESSMENT

A mandatory special assessment of \$100.00 must be imposed for each count of conviction, pursuant to 18 U.S.C. § 3013.

V. RESTITUTION

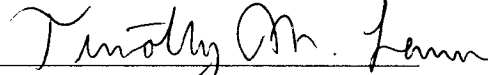
Restitution may be ordered as a result of the serious bodily and death of the person who used the fentanyl as referenced in the Indictment.

VI. FORFEITURE

Not applicable at this time.

Respectfully submitted,

SOO C. SONG
Acting United States Attorney


TIMOTHY M. LANNI
Assistant U.S. Attorney
NJ ID No.011242012